REMARKS

The Office action of February 6, 2006, has been carefully considered.

The specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter of Claim 4. The specification has now been amended to provide antecedent basis for this subject matter.

Claims 4 through 12 have been rejected under 35 USC 103(a) over Reeh et al in view of Lowery and Nagai et al.

Applicants' attorney is appreciative of the interview granted by the Examiner on April 27, 2006. At that interview, Applicants attorney proposed an amendment to Claim 4 which was indicated by the Examiner to remove the rejections of record.

Claim 4 has now been amended to recite that the case body comprises an "empty" recess having a blue light emitting element mounted on the bottom of the empty recess. It is noted that the term "blue light emitting element" is sufficiently broad to encompass the "unit" recited in claim 9, including an LED and a substrate, as well as the "unit" described with respect to Figure 4 in the specification, including the substrate, electrodes, resin encapsulant, etc. In this regard, claim 10 has been amended to recite that the element "comprises" a particular LED.

Claim 4 clearly distinguishes over the references of record. In particular, Reeh et al discloses a semiconductor unit which, as shown in Figures 10 and 13, can be in a cup shape, but it in which encapsulating resin completely fills the cup with the LED.

The Lowery reference discloses an LED unit in which there is a cover of a fluorescent material-containing resin. Nevertheless, another encapsulating resin completely fills the cup with the LED. This is shown in Figure 3 as "transparent spacer 50."

Nagai et al also shows an encapsulated element.

The arrangement of the claimed invention greatly simplifies the manufacturing process. Thus, as shown in the drawing sequence starting at Figure 10, a plurality of cup-shaped recesses is formed in a substrate, and a light emitting element unit is mounted in each of the cup shaped recesses. Then, as shown in Figure 17, a preformed cover 32 is simply placed on the top of every recess where the walls of cover 32 engage with the walls of the recess. In each case, there is a light emitting element unit mounted in the bottom of each recess, but no encapsulating resin fills the recess.

Thus, the claimed invention is clearly distinguished from the cited references and withdrawal of this rejection is requested.

Claims 13 and 14 have been rejected under 35 USC 103(a) over Reeh et al, in view of Lowery, Nagai et al, and Horiuchi et al and Claim 15 has been rejected under 35 USC 103(a) over Reeh et al in view of Lowery, Nagai et al and Horiuchi et al and Hsiung. Based on the above amendment to Claim 4, withdrawal of these rejections are requested as well.

In view of the foregoing amendments and remarks, Applicants submit that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

Respectfully submitted,

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